



# OVERVIEW OF REQUIREMENTS PER LAW AND REGULATIONS RELATED TO CHILD WELFARE AND FAITH-BASED ORGANIZATIONS

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JOINT COMMITTEE ON CHILD WELFARE OVERSIGHT - NOVEMBER 4, 2021



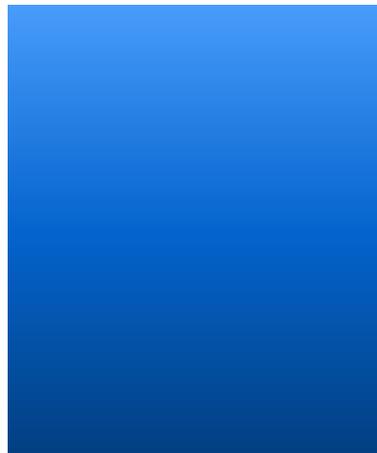


# CATEGORIES OF DCF SERVICE PROVIDERS

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There are multiple ways in which an organization may be affiliated with DCF for service provision. There are no distinguishing or differentiating requirements or monitoring practices for a faith-based or other partners. All agencies/organizations would be included in one or more of more of the following categories of service providers:

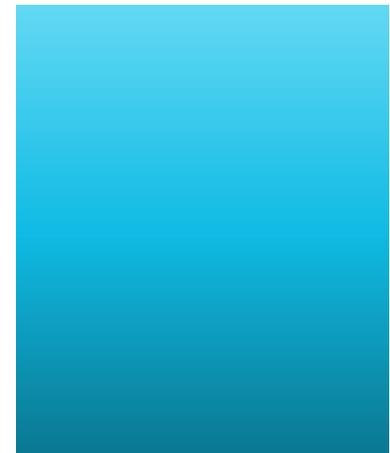
Licensed  
Facilities/Agencies



Providers per  
contracts/agreements/grants



Community Based  
Organizations



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# LICENSED FACILITIES/AGENCIES

FUNCTIONS, LAWS & REGULATIONS

# LICENSED FACILITIES/AGENCIES

## Functions & Practices

- Child Placement Agency: Provides adoption and foster care services
- Adoption Placement Agency: A licensed CPA which provides adoption services
- Foster Care Placement Agency: A licensed CPA which provides foster care services

A licensed facility may or may not have a contract/provider agreement with DCF to provide services for children in the custody of the Secretary.

# LICENSED FACILITIES/AGENCIES

## Applicable Laws & Regulations

### **K.S.A. 65-503**

(a) “Child placement agency” “means a business or service conducted, maintained or operated by a person engaged in finding homes for children by placing or arranging for the placement of such children for adoption or foster care.”

(c) “Child care facility” means:

(3) a child placement agency or child care resource and referral agency, or a facility maintained by such an agency for the purpose of caring for children under 16 years of age

# LICENSED FACILITIES/AGENCIES

## Applicable Laws & Regulations

### **K.A.R. 28-4-170-179**

#### Regulations for Private Child Placing Agencies

- Regulations overseen and enforced by Department for Children and Families:
  - Application process
  - Licensure
  - Onsite visits
  - Investigations
  - Renewals

# LICENSED FACILITIES/AGENCIES

## Applicable Laws & Regulations

### **Host Families Act**

**K.S.A. 38-2401 et. seq** Establishes host families act: sets out requirements for “host families” programs:

**K.S.A. 38-2402** sets out definitions. “Host family” “means an individual or family who provides temporary care under this Act”.

# LICENSED FACILITIES/AGENCIES

## Applicable Laws & Regulations

### **Host Families Act, continued**

#### **K.S.A. 38-2403**

- Provides a CPA or “other Kansas charitable organization working under an agreement with a CPA” may establish a program in which it coordinates with private organizations to provide temporary care of a child by placing the child with a host family. Program shall include screening and background checks for potential host families (same as required for obtaining and maintaining foster home license).
- Host family shall not receive payment other than reimbursement for actual expenses of providing temporary care for a child.

# LICENSED FACILITIES/AGENCIES

## Applicable Laws & Regulations

### **Host Families Act, continued**

#### **K.S.A. 38-2403 (continued)**

- Any placement within this type of program shall be voluntary, not considered out of home placement, shall not supersede any child in need of care or other court order and shall not preclude any investigation of suspected abuse or neglect. Parent/legal guardian may place a child into the program by executing a power of attorney (POA) delegating powers set out in the statute. The statute also specifies what delegation of powers shall not be included in the POA. A Judicial Council form was created and posted for this statutorily referenced POA. The duration of the POA shall not exceed 1 year, except may be renewed by the parent/legal guardian for on additional year or allowed as set out for a parent/legal guardian on active-duty service.
- A parent/legal guardian may revoke or withdraw the POA at any time and child shall be returned to the custody of the parent/legal guardian “as soon as reasonably possible”. POA is not evidence of abandonment, abuse or neglect. POA shall be deemed sufficient if it is in substantial compliance with the Judicial Council form.

# LICENSED FACILITIES/AGENCIES

## Applicable Laws & Regulations

### **Adoption Protection Act**

#### **K.S.A. 60-5322**

- No CPA shall be required to “perform, assist, counsel, recommend, consent to, refer or otherwise participate in any placement of a child for foster care or adoption when the proposed placement of the child would violate the agency’s sincerely held religious beliefs”.
- Nor shall any CPA be denied a license, permit or other authorization or renewal or have any license, permit or other authorization revoked or suspended by any state agency or political subdivision because of agency’s objection to performing, assisting, counseling, recommending, consenting to, referring or otherwise participating in a placement that violates such agency’s sincerely held religious beliefs.”

# LICENSED FACILITIES/AGENCIES

## Applicable Laws & Regulations

### **Adoption Protection Act, continued**

#### **K.S.A. 60-5322 (continued)**

- The statute sets out other program participation or reimbursement which shall not be denied to CPAs, solely because of their objection to performing, assisting, counseling, recommending, consenting to, referring otherwise participating in a placement that violates the agency's sincerely held religious beliefs.
- A CPA's sincerely held religious beliefs shall be described in their organizing documents or written policies or governance documents.
- Although all four of the current case management grantees are CPAs, the statute specifically provides the provisions of the statute shall not apply to any entity while such entity has a contract with the department for children and families as a case management contractor.

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# CONTRACTS, PROVIDER AGREEMENTS & GRANTS

ROLES AND OVERSIGHT

# PROVIDERS PER CONTRACTS/AGREEMENTS/GRANTS

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- Provide services to children and families
  - Family preservation, Families First, drug/alcohol treatment, mental health services
- Contracts/agreements/grants monitored for compliance by Department for Children and Families
  - Reporting and outcome requirements
  - Audits



# COMMUNITY BASED ORGANIZATIONS OR PROVIDERS

## ROLES AND OVERSIGHT

# COMMUNITY BASED ORGANIZATIONS OR PROVIDERS

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- Provide services to community
  - Clothing banks, food banks, support groups, individual therapists for children and their families, medical providers , parent and skill building, legal services
- Department for children and families does not provide oversight, but if licensure of a provider is required to perform certain services, their license is monitored by their respective Board (i.e. Kansas Behavioral Sciences Regulatory Board, Board of Healing Arts, etc.)

# ONGOING DCF PARTNERING

At a high level DCF has existing direct agreements (license/contract/grant/MOU) with faith-based organizations including, but not limited to:

- CarePortal/Global Orphan Project:  
The CarePortal is an online faith-based engagement tool that connects family and child well-being professionals to their local faith-based communities to provide services and supports to children and families involved in the foster care system. Requests for identified needs of families, such as food, clothing, financial assistance or other necessities can be made through the portal by agency workers, as well a churches across the state. Once requests are received, CarePortal networks with local churches and community members to respond. CarePortal also works with local congregations in the promotion of Safe Sleep to help reduce infant mortality.
- Catholic Charities: multiple licensed CPAs
- Safe Families: licensed CPA
- Youthville: licensed CPA
- America's Kids Belong:  
An affiliate in Kansas, America's Kid's Belong works closely with DCF's adoption exchange, AdoptKSKids though recruiting more foster and adoptive families, engaging wrap-around support for at-risk and helping youth who have transitioned to adulthood.
- Saint Francis Ministries:  
Case Management Provider grantee, Families First Preservation Services (FFPSA) grantee, licensed CPA
- Restoration Family Services: licensed CPA
- The Holy Family Foundation: licensed CPA

# PROVIDER PARTNERING

Case Management Provider and Child Placing Agency grantees have close working relationships with faith-based organizations within our communities who are not directly affiliated with DCF. Such collaboration takes place in local settings where families, foster families and children experiencing foster care can be better engaged, often in area churches. Efforts include but are not limited to:

- Recruitment of Family Foster Homes and Adoptive Resources

All four case management providers and several Child Placing Agencies collaborate and engage with faith-based organizations as part of their diligent recruitment and support of FFH and families. For

Example:

- Foster the Cause: Kansas faith-based organization that continues to work alongside CMPs and CPAs to train and support foster families who are rooted in the faith community.
- Joy Meadows: Organization in the Kansas City area which provide supports to families and homes serving children impacted by foster care.
- Faith Builders: Provide support and services to families in Wichita area community

- Training and Resource sites:

In addition to recruitment, several DCF grantees partner with local churches for training sites, promotional events and special recognitions related to foster care and families.

QUESTIONS?

